



U.S. Department of Justice

United States Attorney
Southern District of New York

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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 16, 2021

BY ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Sentencing is adjourned to October 29, 2021 at 10:00 a.m.
Defendant's application for modification of bail conditions
is GRANTED.

SO ORDERED.


Edgardo Ramos, U.S.D.J.
Dated: 7/22/2021
New York, New York

Re: United States v. John Fazio, Jr., 11 Cr. 873 (ER)

Dear Judge Ramos:

MEMO ENDORSED

The Government respectfully writes regarding two matters: (1) a request to adjourn the defendant's resentencing, and (2) a modification of the defendant's conditions of pretrial release.

First, resentencing in the above-captioned matter is presently scheduled for July 23, 2021. The Government writes, with the consent of counsel for the defendant, to request an adjournment of the sentencing for approximately 90 days to a date that is convenient for the Court. The parties seek this adjournment because, as noted in past correspondence, counsel for the Government and the defendant are engaged in discussions in an effort to reach an agreement regarding the appropriate financial consequences, including forfeiture and restitution, to be imposed at sentencing. The parties anticipate that these ongoing discussions may obviate the need for protracted litigation on these issues in connection with the sentencing. The parties do not anticipate the need for further adjournments, and expect either that an agreement will be reached or that the parties will request that the Court set a schedule for briefing these issues. As noted, counsel for the defendant consents to the requested adjournment.

Second, the defendant has requested that his conditions of pretrial release be modified to allow him to travel within the United States, after providing notice and an itinerary to his assigned Pretrial Services Officer. Pretrial takes no position on the request and notes that the defendant has been compliant with supervision. The Government has no objection to the defendant's request, and is presenting it to the Court on behalf of the defense for the sake of efficiency.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

by: /s/
Micah F. Fergenson
Assistant United States Attorney
(212) 637-2190

cc: Sarita Kedia, Esq. (via ECF)
Pretrial Services Officer Madalyn Toledo (via email)